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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Consideration of reports submitted by States parties under article 35 of the Convention

Initial reports of States parties due in 2010

Thailand*

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Articles 1–4 – Purpose, definitions, general principles and general obligations

1. The Persons with Disabilities Empowerment Act B.E. 2550 (2007) (PDEA) is the 2nd national legislation on persons with disabilities, Section 4 thereof prescribing the definition of "persons with disabilities" as persons with activity limitations or social participation restrictions due to visual, hearing, mobility, communication, mental, emotional, behavioral, intellectual, learning disabilities or other impairments making them encounter various difficulties which lead to the need of special aids to assist them in independent living particularly social participation as stipulated in regulations prescribed by the Ministry of Social Development and Human Security. Definitions of disabilities in PDEA are consistent with those stipulated in the Convention on the Rights of Persons with Disabilities (the Convention). In addition PDEA stipulates that a person with disability who requires special aids be certified by medical doctors.

2. The National Statistical Office has carried out surveys on disability since 1974 as part of the survey program on health and welfare. Since 2002, the Office has carried out a separate survey on disability. This survey is to be carried out every 5 years in conformance with the modification of definitions of disability according to the International Classification on Functioning, Disability and Health (ICF) of the World Health Organization (WHO).

3. The 2009 Ministerial Notification of the Ministry of Social Development and Human Security concerning Types of Disability and Its Criteria categorizes disabilities into 6 types: visual, hearing or communication, mobility or physical disability, mental or behavioral or autistic, intellectual and learning disabilities. In order to be entitled to all government provided services, persons with disabilities need to obtain a disability ID card certified by physicians and issued by the National Office for Empowerment of Persons with Disabilities (NEP).

4. For the purpose of providing education services for all children with disabilities, the Ministry of Education issued its 2009 Ministerial Notification on Categories and Criteria on Disability, classifying children with disabilities into 9 categories: children with visual impairment, hearing impairment, intellectual disability, physical, or mobility or health impairment, learning disability, specific language and speech impairments, behavioral or emotional disabilities, autism, and persons with multiple disabilities.

5. After Thailand ratified the Convention, Thailand observes the technical terms and definitions thereof, including the term "reasonable accommodation" that is to be properly applied and modified. One of the examples is almost all sub-district medical care centers in Thailand are designed in a 2-storey building model, where the 1st floor is an open area and the services are provided on the 2nd floor. The ground floor area is then adjusted to accommodate wheelchair users.

6. For Thailand, persons with disabilities had been involved in drafting the Convention. As a result the Constitution of the Kingdom of Thailand B.E. 2550 (2007) is congruent with the said Convention. For example, Section 4 stipulates that human dignity, rights, freedom and equality of persons shall be protected; Section 5 stipulates that Thai citizens of either birth status, sex or religion shall be entitled to equal protection under the Constitution; Section 30 paragraph 2 prohibits any unfair discrimination against persons on grounds of birth status, race, language, sex, age, physical disability or health, personal status, economic or social status, religion/belief, education or political opinion which are not consistent with the Constitution.

7. PDEA under Section 15 ensures that persons with disabilities fully enjoy equal fundamental human rights and freedoms, prohibiting unfair discrimination against persons with disabilities in the formulation of policies, rules, regulations, measures, projects or practices of public, private entities. Under Section 20 persons with disabilities have the right to access and utilize public facilities and services. Facilities and services include medical care, education, employment, disability allowance, sign language interpreters, personal assistants, home modification, information accessibility, and assistive technology.

8. Persons with disabilities and their caregivers shall be entitled to tax deduction or exemption as prescribed by law.

9. Any private entities that provide persons with disabilities with such benefits pursuant to this Section shall be entitled to tax deduction or exemption in percentage terms of their expenditure prescribed by law.

10. Thailand has enacted 20 statutes under PDEA linked to regulations on the establishment of the Provincial Committees on Empowerment of Persons with Disabilities, administration of the Fund for Empowerment of Persons with Disabilities (FEPD), standards certification on organizations of and for persons with disabilities, criteria and procedures for filing complaints of unfair discrimination, and legal services.

11. Persons with disabilities are appointed members of local, provincial and national committees at all levels for policy implementation and evaluation. For example, five persons with disabilities are nominated from at least three types of disabilities to serve on provincial sub-committees on empowerment of persons with disabilities. In addition, family groups take part in protecting the rights of children with disabilities through their representative organizations.

12. Thailand has taken measures to enact several laws and regulations for persons with disabilities to ensure mainstreaming of their human rights protection and promotion by formulation of policies and plans of various involved ministries such as ministries of Interior, Education, Labor, Public Health, Social Development and Human Security, Tourism and Sports, Science and Technology among others, which is in line with the 3rd National Plan of Empowerment of Persons with Disabilities of 2007-2011(3rd NPEPD) and the 10th National Plan of Economic and Social Development of 2007-2011 (10th NPESD). Thus the 3rd NPEPD is a framework for public and private sectors to provide rights protection and ensure well-being and social participation of persons with disabilities on an equal basis with others under the following 4 strategies: empowerment of persons with disabilities, strengthening organizations of persons with disabilities, promotion of positive attitudes of and towards persons with disabilities, their families and society, and promotion of friendly and barriers-free environment.

13. In promotion of rights protection for persons with disabilities at provincial level, 75 provincial sub-committees have been established, each chaired by the provincial governor. This ensures persons with disabilities nationwide rights and access to services on an equal basis.

14. Based on the evaluation of strategies, plans and programs under the 3rd NPEPD, it has been found that: (a) although legal measures and policies of Thailand focus on development, improvement and empowerment of women with disabilities, in practice the supportive plans, programs and activities under such measures and policies are still limited, inexplicit and contain certain weak points; (b) data and information collected by many agencies does not classify the gender of persons with disabilities causing difficulty in identifying exact numbers of the target group of women with disabilities; (c) the issue of women with disabilities has not been fully integrated into the work of government agencies. Thailand attempts to implement the principles of the Convention consecutively especially in formulating rules, regulations involving rights of persons with disabilities in many fields;

however there are still no steps taken to monitor the effectiveness of application of laws or of rights accessibility for persons with disabilities. This is an issue which requires work towards a resolution.

15. Thailand has achieved much progress in implementing the Convention in fields of accessibility, independent living, inclusive society, freedom of expression, education, health, employment, political participation, and public life. More active steps are needed for coping with challenges such as the situations of risk and humanitarian emergency and access to justice.

Article 5 – Equality and non-discrimination

16. The right of persons with disabilities to access their equal benefits before and under the law is protected under provisions set forth in many sections of the 2007 Constitution of the Kingdom of Thailand as in Section 4 concerning the protection of human dignity, rights, freedom and equality of people; Section 5 concerning equality of Thai citizens irrespective of their origin, sex or religion; Section 28 concerning that persons shall proclaim their human dignity, enjoy and exercise their rights and freedom within the scope of not violating the rights and freedom of others; Section 30 concerns any unfair discrimination against persons on grounds of disability shall be prohibited; Section 41 concerns the right of individuals in property and succession to estate; Section 81 concerns obligations of the State in protection of rights and freedom of individuals from violations by public officers and other parties; with all citizens provided justice on an equal basis.

17. Other major laws contain provisions of rights protection of persons with disabilities from all forms of discrimination such as the Education Act for Persons with Disabilities B.E. 2551 (2008) (EAPD) under Section 8 which stipulates that any educational institute which rejects admission of students with disabilities shall be deemed unfair discrimination pursuant to the law; and the PDEA under Section 15 which prohibits all kinds of unfair discrimination against persons with disabilities.

18. To ensure equal rights for persons with disabilities, the National Committee for Empowerment of Persons with Disabilities (NCEPD) chaired by the prime minister establishes criteria and procedures to be followed and determines acts that constitute unfair discrimination, with the power to revoke such discriminatory practice or prohibit discrimination against persons with disabilities. The sub-committee on Elimination of Unfair Discrimination against Persons with Disabilities, working under the NCEPD, assists in raising awareness on the rights of persons with disabilities, in reconciling any dispute before a determination is made and in gathering factual evidence in support of settlement of discriminatory disputes.

19. Thailand acceded to the Convention on the Elimination of All Forms of Discrimination against Women on August 9, 1985 which entered into force on September 8, 1985, and ratified the Convention on the Rights of the Child on March 27, 1992 which entered into force on April 26, 1992, enabling women and children with disabilities to access benefits under the said two conventions.

Article 6 – Women with disabilities

20. The Plan on Empowerment of Women (PEW) under the terms of the 10th NPESD focuses on women in general, both with and without disabilities, with the objective to change negative attitudes towards women and to encourage gender equality, increasing women's opportunity to be included in the decision-making process in political, economic and administration fields, health and hygiene, reproductive rights, and security in life.

21. Thailand continues to work towards development and empowerment of women with disabilities, taking measures to ensure improvement, elimination of gender inequality and empowerment of girls and women with disabilities to enable them to enjoy and exercise human rights and fundamental freedoms on an equal basis with male and female persons without disabilities. Measures taken include:

(a) The FEPD, established under Section 23 of PDEA which provides opportunities for women with disabilities to access loans permitted for individuals or groups in doing business, with loans not exceeding 40,000 Baht (US$1,277) per person or not exceeding 1 million Baht (US$32,000) each group. Repayments in installments without interest to be completed within five years. This is a significant measure since 2007 to substantially strengthen the capacity of women with disabilities for the purpose of their empowerment. There are 4,307 women with disabilities receiving loans from such Fund, equivalent to 33.74% of the total 12,765 loan borrowers;

(b) In collaboration with responsible agencies women with disabilities are encouraged to take part in conferences such as the Thai Women's National Assembly which formulates issues and activities involving national women's development. This raises the recognition of women with disabilities in mainstream women's development towards inclusion in national issues. The National Assembly report on women with disabilities is prepared in conformity with the Convention on the Elimination of All Forms of Discrimination against Women , following the Thai Cabinet's decision in 1990 to withdraw Thailand's reservations on that Convention under Article 11 concerning the same right and opportunity for equal employment as men, and Article 15 concerning equal entitlement to enter into a contract;

(c) In addition to government agencies promoting women's rights are representative organizations of persons with disabilities playing similar roles. The Thailand Association of the Blind (TAB) has established the Thailand Association of Blind Women (TABW) which protects the rights of women with disabilities, focusing on gender equality while encouraging women with disabilities to serve on the TAB Board. Clubs for youth with visual impairment are established enabling female leaders to participate in all activities. Female leaders also contribute as board members of the Association of the Physically Handicapped of Thailand (APHT). The National Association of the Deaf of Thailand (NADT) supports empowerment of women with hearing impairment and communication disorders, and the Council of People with Disabilities of Thailand (CPDT) organizes annual seminars on women's rights and development;

(d) The Act on Protection from Domestic Violence B.E. 2550 (2007) and the Act on Modification of the Civil and Commercial Codes concerning an Engagement prescribing women and men to be equal in claiming compensations, with women and men able to submit similar reasons for divorce;

(e) The Act on Modification of the Criminal Proceedings Code B.E. 2550 (2007), Sections 246 and 247 to protect the right of pregnant female prisoners to care for their child from birth;

(f) The Act on Titles of Women B.E. 2551 (2008) permitting married or divorced women to choose their title "Mrs" or "Miss" or "Ms" as desired, and the Act on Prevention and Suppression of Trafficking in Persons of 2008;

(g) The Educational Council of the Royal Police Cadet School permitted females to be enrolled at the School in academic year 2009 as the Royal Thai Police considered females are most suitable for work involving children, juveniles and women. This is an opportunity for women to perform similar duties as men, a significant step forward in gender equality. These measures provide evidence that Thailand has acted to protect

women's rights towards elimination of gender inequality, in order to ensure justice with access to equal benefit for all.

Article 7 – Children with disabilities

22. Measures taken by Thailand to ensure children with disabilities enjoy full protection of their rights under the Convention, and all fundamental freedoms including full participation and equality between children with disabilities and children without disabilities, focus on a holistic development approach. These measures include:

(a) Obligations under the Convention on the Rights of the Child (CRC) which Thailand has entered into as one of States Parties since March 27, 1992 which prohibits discrimination against children and encourages equal recognition of every child regardless of race, color, sex, language, religion, political or other opinion, national or social origin, property, disability, birth or other status of them or their parents or lawful guardians;

(b) Provisions of the 2007 Constitution of the Kingdom of Thailand, Section 52 which prescribe that children and juveniles with and without disabilities have the right to survive and access their physical, mental and intellectual development in compliance with their potential within a suitable environment towards their full participation and inclusion;

(c) Early detection and intervention from birth to pre-school for children with special needs is provided, including Ministry of Public Health focus on screening and treatment of children with disabilities. This service has become a most important task for specialists and parents. Thailand does not have a specific law related to early intervention; however, the Ministries of Education and Public Health continue to promote the development of early detection and early intervention;

(d) With respect to education, the law prescribes that children with disabilities shall be entitled to access free education. The Act on National Child and Juvenile Development B.E. 2550 (2007), Section 6 (3) granting rights to children with disabilities, children with learning disability and gifted children to receive special education provided by the State to suit all levels of ability, the EAPD on educational rights and obligations, promotion of education for persons with disabilities and the Fund for Educational Promotion and Development for Persons with Disabilities;

(e) The policy of the government chaired by the Prime Minister deems the education issue as a matter of urgency by providing free education to all children for a 15 year period. Support includes community nursery upgrade and the cost of text books, student uniforms and teaching materials gratis from the academic year 2009 onwards. Government policy on education also stresses administration effectiveness leading to equal and fair educational opportunities for vulnerable groups including poor, persons with disabilities, troubled and ethnics;

(f) To ensure education is more accessible to children with disabilities, under compulsory primary education as prescribed by law, the Ministry of Education sets up a variety of educational programs for both public and private educational sectors, enabling students with disabilities to choose programs suited to their special needs. Programs supported by the government are inclusive education, special classrooms, special schools, home schools, vocational education and higher education cover pedagogic models, teachers, learners, materials or environments to facilitate inclusion of students with disabilities. In addition, college fees at higher education and vocational education are provided to persons with disabilities who seek BA degree;

(g) The Student Loan provided by the government for both male and female students, including students with disabilities, from lower income families enables them to continue their education from secondary to higher level;

(h) The Child Protection Fund established by the Ministry of Social Development and Human Security since 2005 serves as an educational fund to support each individual poor child;

(i) Thailand has 5 homes for children with disabilities nationwide under the supervision of the Ministry of Social Development and Human Security (MSDHS) that perform their activities in supporting the basic necessities for life and standard rehabilitation and development of destitute children in all arenas by a multi-disciplinary group to provide holistic care. In addition, there are also some homes run by the private sector;

(j) Provisions of the Child Protection Act B.E. 2546 (2004) which entered into force on March 30, 2004 set forth guidelines and approaches to development of children and juveniles properly and compatibly with current social trends to encourage the younger generation to take responsibility for the family, community, society and country.

23. Further progress to ensure the full enjoyment by children with and without disabilities can be summarized as follows:

(a) The National Policy on Juveniles and Long-term Plan on Child and Juvenile Development of 2002–2011 which comprises strategies for potential development of children and juveniles to achieve good qualifications, for family and community development, and for development of management and administration systems;

(b) The Regulations of the Office of the Prime Minister on Promotion of and Coordination in the National Family of 2008, comprise three significant mechanisms for determining policy on the family in the Thai social context, with coverage of knowledge policies and social sectors:

(i) The National Committee for Family Policies and Strategies (NCFPS) is responsible for orientating national policies, strategies and plans on family promotion to propose to the Cabinet for approval;

(ii) The Committee on Family Promotion and Development is responsible for proposing guidelines on family promotion based on the relevant research, and consideration of recommendations made by the Family Assembly in order to present to NCFPS;

(iii) The National Family Assembly serves as a forum to pool opinions and ideas and guidelines on family promotion attended by families and regional and national entities and organizations. From the National Family Assembly of 2009 the following petitions have been made:

- Encourage local administration organizations to play a main role and set up plans to promote and strengthen the family;
- Promote education to strengthen the family by establishing organizations in order to develop knowledge and innovation for the family well-being;
- Encourage governmental media to adhere to strategies of publication and to conduct a campaign on family strengthening;
- Set up the process to study social welfare needed for untypical families including those families in trouble, by advising MSDHS to improve family subsidies in compliance with the potential promotion for untypical families, and for

community hospitals to organize interactive family classes for atypical families in communities on a regular basis;

(c) Under the Child Protection Act of 2003 the following instrumentalities have been established since its entry into force:

(i) Two National Committees on Child Protection are established. The 2nd National Committee is currently convened;

(ii) The Committee on Child Protection of Bangkok Metropolitan and the Provincial Committees on Child Protection are established to take charge of counseling on guidelines for child support, their safety protection and good behavior enhancement, and these committees are empowered to investigate any child rights infringements. In this connection, the relevant joint strategic plans of action are set up by all provincial sectors;

(iii) Relevant Ministerial Rules, Regulations and Notifications are issued under the Child Protection Act of 2003 for implementation of actions by agencies involved and training is provided for joint personnel;

(iv) Officers in charge in various agencies are trained in conformance with the Child Protection Act of 2003;

(v) The Act on the National Child and Juvenile Development B.E. 2550 (2007) that entered into force on April 13, 2008 serves as legislation to prescribe guidelines and procedures of child and juvenile empowerment suitably and consistently with current social trends to encourage the participation of the younger generation to take responsibility for the family, community, society and the country. For this purpose, it recommended the establishment of child and juvenile councils resulting in district child and juvenile councils being formed nationwide in 877 districts since July 11, 2008, and provincial child and juvenile councils formed nationwide in 75 provinces including the child and juvenile council of Bangkok Metropolitan formed on 11 October 2008;

(vi) Apart from many instrumentalities having been established under the government policies and acts, several agencies and entities also undertake to encourage hygiene and solutions to social problems that affect Thai children, juveniles and families, namely:

- Local administration organizations have developed nursery centers to serve as community learning centers and forums to exchange opinions and ideas by parents who do not admit their children to those nursery centers but care for them at home. This is to enable all children in communities to have full access to opportunities for development;
- The academic sectors, namely various educational institutes that conduct pedagogic and research relating to families and juveniles such as the National Institute for Child and Family Development and the Department of Family Health at Mahidol University, Sukhothai Thammathirat Open University and other universities;
- The mass media such as Thai PBS Television which broadcasts TV programs involving skills enhancement for parents and how to lead a happy home life and a happy society with focus on parents, relatives, teachers, guardians, caregivers and other related persons playing a key role; encouraging positive development suitable to their age in children, juveniles and the younger generation; programs promoting participation of the younger generation in producing TV shows and programs themselves; and the National Broadcasting Radio network under the

Thai Government Public Relations Department launching the Thai radio station for child and family (FM 105 MHz) to provide a public forum and encourage participation of people from all parts and sectors to exchange opinions and ideas on the well-being of children, juveniles and the family; and to introduce changing attitudes within society leading to an inclusive society;

- The corporate social responsibility (CSR) divisions of the business sector including Siam Commercial Foundation of Siam Commercial Bank, Thai Life Insurance Company, AIS among others, and many media outlets plan and coordinate creative activities for children, especially children with disabilities.

24. With respect to the situation between boys and girls with disabilities in Thailand, there is no significant difference statistically. Based on the data as of June 30, 2010 there are 116,498 persons with disabilities (aged less than 28 years) who have been registered nationwide with the numbers of boys and girls with disabilities almost identical: boys numbering 57,751 persons (49.6%) and girls numbering 58,747 persons (50.4%). In 2007, newborn babies weighing less than 2,500 grams, either female or male, are similar (10.02% and 9.99% respectively) to the proportion of children aged less than 5 years with below average weight, with female and male percentages similar (10.0% and 12.6% respectively).

25. Of concern which may be a cause of congenital disability is the premarital sex and unplanned pregnancies of under-age Thai children and juveniles. In 2007, the number of mothers aged less than 20 years increased from 13.54% in 2003 to 14.88% in 2007. Such pregnancies of young pregnant women who lack understanding on health, economics and social skills can result in unhealthy conditions for themselves and their unborn child, leading to risky abortion, or to the child's slow development or disability. In the majority of cases the mother does not possess correct knowledge and understanding on best health procedures during pregnancy which may result in injury to the child, or abandonment, which may lead to the added problem of child trafficking.

Article 8 – Raising awareness regarding disability

26. Raising social awareness regarding the rights of persons with disabilities and basic human rights under the Convention has been done through many channels and forms such as mass media, events, forums and seminars, publishing, and internet cooperation from all responsible sectors. In addition, the Educational Technology Center and the Ministries of Education and Foreign Affairs play important roles in raising awareness regarding disability by promoting participation of persons with disabilities in social and political spheres as well as dissemination of news and information through radio programs and websites.

27. Incorporating disability issues in the development process and in missions of various agencies requires the cooperation of all responsible sectors. The PDEA, under Section 20, prescribes the rights of persons with disabilities to fully access public facilities, and Section 21 prescribes local administration organizations to issue by-laws, rules, regulations and notifications to develop and support persons with disabilities.

28. The role of representative organizations of persons with disabilities to promote awareness, such as APHT, is to support the leaders of persons with disabilities to integrate with networks and volunteers through provincial associations established by law. The networks consist of the national council, related disability organizations and provincial associations. For example, the Redemptorist Foundation for People with Disabilities raises awareness on disability through TV production with private television entities which provide a time period to broadcast the programs campaigning for recognition of persons with disabilities.

Article 9 – Accessibility

29. The 2007 Constitution of the Kingdom of Thailand, Section 54 entitles all Thais to access and receive public welfare, facilities and appropriate aids provided by the State.

30. Prior to Thailand's ratification of the Convention on the Rights of Persons with Disabilities, the Ministry of Interior issued its Ministerial Regulations of 2005 on provision of facilities in conformance with the Legislation on Prescribing Types and Aspect of Buildings Requiring Installation of Facilities Usable by Persons with Disabilities, such as hospitals, medical treatment institutions, public health service centers, medical care units, governmental office buildings, educational institutes, libraries and museums, mass transport stations, offices, theatres, hotels, auditoriums, stadiums, shopping centers, any kinds of department stores with any part of their buildings exceeding 2,000 square meters area open to the general public to access their services, and for internal facilities in buildings such as elevators or ramps, stairs, parking, toilets, a specified area for wheelchairs, switches, signals or noise alarms, Braille, surfaces, width of doors including the signs indicating facilities usable by persons with disabilities, symbols representing persons with disabilities, signs indicating the directions to facilities and symbols or print indicating types of facilities usable by persons with disabilities.

31. PDEA under Section 20 entitles persons with disabilities to access and utilize public facilities and other aids rendered by the State on an equal basis with others, namely:

(a) Assistance to access public policies, plans, programs, activities, development and services and products;

(b) Access to data, information, news, communications, telecommunication services, information technologies, and communication technologies and facilities usable by all classes of disabilities, including public media provided by the public or the private sector subsidized by the government;

(c) The right to take a guiding animal, equipment or devices or any auxiliary technologies with them on a vehicle or to a place for the purpose of guiding them to access public facilities with exemption from additional charge, fee or rent for such animal, equipment or auxiliary technologies; and

(d) Adjustments and modifications of housing environment.

32. Regarding legal measures on provision of transportation facilities pursuant to Section 37 of PDEA involving the provision of facilities in land, sea and rail transportation, laws are in the process of being drafted. Namely the Department of Land Transport under the Ministry of Transport and Communications is drafting ministerial regulations to specify public transportation facilities for persons with disabilities, which the Department of Land Transport specifies as vehicle towing tools, ramps, bells, handrails and other facilities to ease access for persons with disabilities. The Ministerial Rules, Regulations and Notifications already in force are as follows:

(a) The Ministerial Regulations Issue 5 enacted under the Act on Land Transport of 1979, prescribes that a vehicle which provides the general public with general service on a regular and continuing basis may have auxiliary devices to facilitate the convenience for persons with disabilities as follows: (i) firm, strong and safe door, ramp, bridge or other device to board or disembark persons with disabilities from the vehicle and with the quality as set forth or agreed by the Department of Land Transport; (ii) space or equipment to store a wheelchair with the firm and strong kit to hold the wheelchair to protect other passengers from danger; (iii) in case of any other equipment, it shall conform with those conditions set forth or agreed by the Department of Land Transport;

(b) The Notification of the Department of Land Transport on Prescription of the Fittings and Accessories Required to Be Installed in a Personal Car and Three-wheeler for Usability by Persons with Disabilities of 2009 dated March 4, 2009, namely: (i) door, ramp, bridge or other device to board or for persons with disabilities to disembark from the car; (ii) space or equipment to store a wheelchair; and (iii) fittings and accessories controlling the driving modified from function by feet to manual function;

(c) The Ministry of Transport and Communications and its agencies including the Department of Land Transport jointly draft the Ministerial Regulations under PDEA, with this draft in the process of revision, relating to where to specify ramps usable by persons with disabilities in the provincial transport offices in 20 provinces and in 5 mass transport stations. In addition, the said Ministry provides persons with disabilities with auxiliary technology equipment budgeted by the Fund for Traffic Safety, raised through bidding for favorite or preferable car registration numbers and allocating the money to the cost of the auxiliary technology equipment for persons with disabilities caused by traffic accidents. The fiscal year 2009 is the first year that this project was launched with 618 persons with disabilities accessing the said allocation of 35,948,640 Baht (USD32,000,000);

(d) The Transport Company Ltd. allocates budgets to make alterations to the facilities in transport stations such as ramps, elevators, toilets, parking and other facilities usable by persons with disabilities, with officers on duty at administration centers where persons with disabilities can request assistance in all cases either purchase of tickets or assistance in boarding or disembarking from vehicles;

(e) Bangkok Mass Transit Authority is in the process of procurement of 4,000 air-conditioned buses using CNG with facilities usable by all classes of disabilities. The committee on monitoring of procurement for such CNG buses formulates the relevant Terms of Reference (TOR) specifying that all CNG buses have semi-low-floor chassis, a ramp and bridge that can be reassembled and microphone for the driver to notify bus stops for persons with visual impairment, as well as a display of running subtitles for persons with hearing and/or speech impairment;

(f) The Mass Rapid Transit Authority of Thailand launches the project of extension of the rapid transit system cited as 'the Blue Line and the Purple Line' in universal design where persons with disabilities and all concerned can share their recommendations and suggestions in modifications to enable persons with disabilities who use wheelchairs to enter and exit the system in all directions, make ticketing areas accessible to and usable by persons with disabilities. Adjustment of the distance between passengers' platforms and rail cars will be decided in conformance with the safety standard;

(g) The Department of Highways standardizes the designs of highways accessible to and usable by persons with disabilities and older persons in conformance with the Ministerial Regulations on Facilities Fixed in Buildings That Are Usable by the Disabled/Physically Handicapped and the Elderly of 2005. Such project is ready for recommendation and suggestion by representatives of persons with disabilities in order to identify acceptable designs. In addition, there is a program to standardize designs of pedestrian bridges and elevators accessible to and usable by persons with disabilities and older persons;

(h) The Department of Rural Roads launches significant projects, namely the project to build roads in the city/municipal zoning, footpaths in communities, a passage through a road within a bridge construction site in a community or region; to design a ramp or bridge connecting to a road in order to ease travel made by persons with disabilities and older persons;

(i) The Expressway Authority of Thailand builds 2 public conveniences (WCs) usable by persons with disabilities and older persons in the Headquarters Building of the Chalerm Maha Nakhon Expressway (being in the process of construction and planned to be completed in January 2010), and in the Toll booth of Suksawat Expressway;

(j) The Marine Department designates officers to facilitate convenience of persons with disabilities and older persons at each pier in Bangkok Metropolitan and the surrounding area. In addition, deduction of fares is permissible for persons with disabilities and older persons for Chao Phraya Ferry Service, Bangkok and other ferry boats on the surrounding canals. Wharves have been constructed with facilities such as ramps and entrances to the buildings and toilets accessible to and usable by persons with disabilities;

(k) Airport of Thailand Plc. undertakes adjustment and modification of designs, fixing of signs and labels or making additions to the structure of the buildings and area in order to improve facilities to be accessible to and usable by persons with disabilities at Thailand's main Suvarnabhumi Airport. In this connection, the company has designated a working group comprising representative organizations on disability and the engineering and architectural professional council.

33. The National Electronics and Computer Technology Center (NECTEC) under the Ministry of Science and Technology by the Rehabilitation Engineering and Assistive Technology Institute (REAT) in collaboration with the Thai Industrial Standards Institute drafts the Web Content Accessibility Guidelines and carries out research and development of software for checking the websites under such guidelines in conformance with WAI WCAG2.0 which services checking accessibility through the website, http://astec.rectec.or.th/, and permits users to download the Web Checker on Accessibility by REAT: Web-CARE on the users' PCs for the purpose of checking accessibility and utilization. In addition, standards have been established involving persons with disabilities and older persons such as Digital Talking Book Standard, Office Equipment Accessibility Guidelines for Older Persons and People with Disabilities, and Telecommunications Accessibility Guidelines for Older Persons and People with Disabilities.

34. Thailand has the national strategic plan, being the 3rd National Plan on Empowerment of Persons with Disabilities of 2007-2011, under which the 4th strategy thereof is to encourage a barriers-free environment for the participation of persons with disabilities. Its achievement can be verified by the following: (a) the level of success in stimulating the issue of barriers-free environment for disability to be incorporated in policies and implementation; (b) the numbers of laws, rules, and regulations on barriers-free environment for disability that have been revised and reformulated; (c) the amount of knowledge that has been developed to provide understanding on universal design in relation to the enabling environment and accessibility of data, information and news; (d) the number of educational institutes that organize their pedagogic concepts under a course in universal design; (e) the number of centers/institutions that promote and demonstrate universal design; (f) the level of success in establishing agencies or committees to take charge of monitoring, fact-finding, supervising and accepting petitions for undertakings of the enabling environment, with guidelines/measures, plans, programs, activities and agencies in charge of tasks pursuant to each item explicitly assigned. The mid-term implementation of this strategy has been monitored (between 2007 and 2009) where it appears to be moderately successful.

35. In addition, the Cabinet adopted resolutions on May 19, 2009 that government agencies provide facilities accessible to and usable by persons with disabilities, details as follows:

(a) Hospitals shall provide facilities usable by persons with disabilities as prescribed by the Ministerial Regulations of 2005 promulgated pursuant to the Act on Control over Buildings and Structures of 1979 and its Revised;

(b) The public agencies such as city halls, district offices, offices of local administration organizations, educational institutes and police stations nationwide shall provide basic facilities for persons with disabilities such as ramps, toilets, parking, and a sign and symbol and information service to be completed in 2011. For such purpose, heads of respective agencies or provincial governors are empowered to set up budgets and allocate budgets in their possession to provide those facilities and shall report their working practices every 6 months to the NCEPD which shall subsequently keep the Cabinet notified of progress taking place on a regular basis.

36. Regarding the undertakings by private entities to encourage accessibility, in 2010 the Bangkok School for the Blind Alumni Association in collaboration with public agencies such as the Ministry of Information and Communication Technology, the Ministry of Energy and the private entities launches a project to establish a center providing demonstrations and service on media information technology for persons with visual impairments, on the occasion of the 72nd anniversary of education for Thais with visual impairments.

Article 10 – Right to life

37. The 2007 Constitution of the Kingdom of Thailand, Section 4 states that the inherent dignity, right, freedom and equality of all persons shall be protected; Section 5 states Thai citizens of any birth status, sex or religion shall be entitled to equal protection established under the present Constitution; Section 32 states that each individual person shall have the right and freedom to life, any torture or cruel, inhuman or degrading treatment or punishment shall not be inflicted on any person.

38. The Criminal Code criminalizes and stipulates appropriate punishment for murder or crimes that cause death to others, including crimes that infringe upon the full enjoyment of this right such as unlawful imprisonment, forced abduction and torture or other cruel, inhuman or degrading treatment.

Article 11 – Situations of risk and humanitarian emergencies

39. Thailand has taken steps to prevent and mitigate the impact of public disasters on persons with disabilities as follows:

(a) At the policy level, it has established the National Plan for Disaster Prevention and Mitigation of 2010-2014 which outlines the principles and procedures for preventing and mitigating public disasters and threats to the security;

(b) In practice, the Department of Disaster Prevention and Mitigation under the Ministry of Interior, is the agency in charge of disaster prevention and mitigation, namely on: (i) planning, monitoring, prevention and warning; (ii) taking action in disaster prevention and mitigation; (iii) assisting and supporting disaster victims; and (iv) rehabilitating the victims. In addition, significant plans/programs have been implemented towards disaster prevention and mitigation, such as recruiting volunteers, establishing the public disaster warning system, and creating a community-based database to cope with disasters, the MIS/GIS database system, and databases for tsunami victims, in addition to information about areas vulnerable to tsunami, earthquakes, and storms;

(c) The 1st International Conference on Readiness Preparation for Coping with Tsunami for Persons with Disabilities was organized in Phuket southern Thailand from 11-12 January 2007 and attended by delegates from 12 countries: Bangladesh, Denmark, France, India, Japan, Malaysia, the Netherlands, the Philippines, Singapore, Sweden, Thailand and U.S.A. The Phuket Declaration was concluded which aims to establish a network of cooperation, knowledge sharing, and to develop a tsunami warning system with local participation. The 2nd Conference was organized from 12–13 May 2009 in Phuket with the main objective to better prepare persons with disabilities to cope with disasters through establishing a network of cooperation as set out under the United Nations World Summit on the Information Society Plan of Action (WSIS).

40. As a consequence of the tsunami that hit Thailand on 26 December 2004, the National Disaster Warning Center (NDWC) was established as the focal point to issue warnings in case of disasters and to serve as a center for disaster information. The NDWC is now designated under the Ministry of Information and Communication Technology and also acts as the Secretariat of the National Committee on the Disaster Warning System chaired by the Deputy Prime Minister.

41. The NDWC has launched many projects aimed at forecasting the occurrence of a disaster such as establishing 300 warning towers nationwide, installing deep-sea buoys in the Andaman Sea, the '192' 24-hour Emergency Call Center and has made information accessible to all persons with disabilities especially those with hearing impairments.

42. The NDWC has annually tested its evacuation plan in the event of an actual tsunami in the 6 provinces around the Andaman Sea whereby priority in providing assistance was given to children, older persons and persons with disabilities to evacuate to areas of safety.

Article 12 – Equal recognition as a person before the law

43. The 2007 Constitution of the Kingdom of Thailand, Section 40 stipulates that children, youth, women, elderly persons, and persons with disabilities shall have the right to appropriate protection in the judicial process and shall have the right to appropriate treatment in cases relating to sexual violence.

44. Section 49 provides that persons with disabilities shall enjoy the right to receive education on an equal basis with others as provided by the State in conformance with the National Education Act of 1999, as amended (No. 2) which specifies the right of persons with disabilities to receive free basic education including assistive technologies and special education services.

45. Section 80 stipulates that the State shall act pursuant to social, public health, education and cultural policies whereby the State shall provide support and benefits to persons with disabilities for their better quality of life.

46. Section 152 stipulates that persons with disabilities are entitled to representation by a disability expert in the formulation of any laws that will affect them both directly and indirectly.

47. In addition, PDEA under Section 20 entitles persons with disabilities to access and utilize public facilities including social support services and additional support from the State including medical rehabilitation and treatment cost; education; vocational rehabilitation; labor protection and job placement; access to public services, data, information, technologies and other facilities. The law also encourages participation of persons with disabilities in an inclusive society.

48. The 2009 Regulation of the NCEPD on Legal Assistance stipulates provision of legal assistance including legal counseling, entering into contracts or agreements,

mediation, provision of attorneys and other forms of assistance. In this connection, persons with disabilities are entitled to apply, in writing or verbally, for legal assistance. In addition, persons with disabilities are entitled to payment of reasonable legal fees as appropriate.

49. The 2009 Regulation of the NCEPD concerning Sign Language Interpretation services prescribes that persons with hearing impairment shall have the right to apply for sign language interpreters in various cases, such as filing complaints or acting as a witness during an inquiry held by investigative officers or any officers in charge under other law.

Article 13 – Access to justice

50. Persons with disabilities shall be entitled to access justice on an equal basis with others without discrimination pursuant to Sections 30, 39, and 40 of the 2007 Constitution of the Kingdom of Thailand.

51. The Cabinet resolution adopted on May 19, 2009 requires government agencies involved in legal proceedings to provide accessible buildings and facilities for persons with disabilities, especially city halls, district offices, offices of local administration organizations and police stations.

52. The Department of Corrections ensures that legal assistance is available to persons with disabilities in correction facilities. The department also coordinates with hospital and agencies in issuing disability medical certificates for registration of prisoners with disabilities. The Office of the Attorney General and The Department of Rights and Liberties Protection under the Ministry of Justice also provides legal assistance free of charge at provincial level.

53. The Lawyers Council of Thailand, a private agency, has played an active role in providing legal assistance to persons with disabilities.

54. There are other multi-level mechanisms to ensure rights protection and promotion for persons with disabilities such as the sub-committee on Elimination of Discrimination against Persons with Disabilities under the National Office for Empowerment for Persons with Disabilities (NEP) as well as mechanisms under other government agencies and local administrative organizations.

Article 14 – Liberty and security of the person

55. Liberty and security of persons with disabilities is legally protected on an equal basis with others under the following sections of the 2007 Constitution of the Kingdom of Thailand.

56. Section 28 protects human dignity and enjoyment and exercise of rights and liberty for all persons.

57. Section 29 prohibits the restriction of the rights and liberty of all persons unless otherwise prescribed by law.

58. Section 237 prohibits arrest and confinement of any person without a warrant unless such offence is seen committed by such person. The arrested person shall immediately be notified of charge and cause of arrest in detail as well as his/her relatives or trusted party shall first be notified of the matter. The arrested person shall be kept and taken before the court within forty-eight hours from the time she/he is taken to the office of the investigative officers.

59. Although Thailand has recognized the future need towards an inclusive society, institutions to care for disadvantaged persons with severe disabilities are provided.

60. Measures have been taken to implement the policy of community-based support projects for persons with disabilities including community-based rehabilitation (CBR) projects, community volunteers, and assistive technologies for independent living.

Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment

61. The 2007 Constitution of the Kingdom of Thailand, Section 32 prescribes the right to life and liberty, and prohibits torture or cruel, inhuman or degrading treatment or punishment.

62. The criminal procedure code contains safeguards against torture and protects victims of torture including the right not to be arrested, detained or searched without just cause, to petition the court for investigating unlawful detention, to protection against confessions made under torture.

63. Thailand acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on October 2, 2007 and it entered into force on November 1, 2007. The Convention applies to all persons with disabilities on an equal basis with others.

64. The Rights and Liberties Protection Department under the Ministry of Justice is in the process of considering becoming a party to the International Convention for the Protection of All Persons from Enforced Disappearance and is drafting implementing legislation.

Article 16 – Freedom from exploitation, violence and abuse

65. The Act on Protection of Victims of Domestic Violence of 2007 aims to prevent any act that intentionally threatens or is likely to cause physical or mental harm or danger to health of family members. In the case of violence, a victim shall be provided with pecuniary assistance such as compensation for any money or property that the victim lost as a result of the domestic violence. Persons with disabilities shall be entitled to the protection as set forth in this Act on an equal basis with others.

66. Thailand has promulgated the Act on Prevention and Suppression of Human Trafficking of 2008 which enters into force on June 5, 2008, in which the Committee on Human Trafficking Prevention and Suppression and the Committee on Coordination and Supervision of Human Trafficking Prevention and Suppression have been established. Significant statutes have been enacted under the said Act.

67. Thailand implements the National Policy and Plan on Prevention, Suppression and Remedy of Domestic and Transnational Trafficking in Children and Women of 2003-2010 comprising 7 master plans, namely (a) Prevention; (b) Assistance and protection; (c) Legal actions and suppression; (d) Return to normal and social participation; (e) Establishment of the information system for monitoring; (f) Development of management and administration mechanisms; and (g) International cooperation. In implementation of the said policy, the plan of action on prevention, suppression and remedy of trafficking in persons is established by division into 2 phases: Phase 1, establishment of the central plan of action of 2005-2010, and Phase 2, establishment of the provincial plan of action of 2007-2010. In addition, human trafficking prevention and suppression centers have been set up at 3 levels,

i.e. provincial, national and international levels, to serve as mechanisms for coordination, integration of data and assistance from all ministerial departments.

68. In addition, the 2007 Constitution of the Kingdom of Thailand, Section 35 prescribes that rights of family members and their reputations as well as their privacy shall be protected. Persons with disabilities shall be entitled to protection from exploitation and abuse of their personal information as set forth in the law.

Article 17 – Protecting the integrity of the person

69. The 2007 Constitution of the Kingdom of Thailand, Section 4 prescribes that human dignity, freedom and equality of people shall be protected, and Section 30 prescribes that people shall be equal before the law and shall be entitled to equal protection under the law.

70. Sterilization is voluntary and should be based on informed consent. As for abortion, it is illegal except in the case where pregnancy threatens a mother's health or as a result of rape.

Article 18– Liberty of movement

71. The 2007 Constitution of the Kingdom of Thailand, Section 34 prescribes protection of persons in their movement and liberty to choose a living place within the Kingdom. Any restriction of liberty shall be prohibited, unless otherwise prescribed by provisions of special legislation for the purpose of the security of the State, peacekeeping or welfare of the general public, city planning or the minors' welfare. Exiling a Thai national from the Kingdom or prohibiting a Thai national from entering the Kingdom shall be prohibited.

72. The issue of nationality in Thailand in governed by the Nationality Act of 1965 and Amendment No. 4 (2008), which is applicable to all persons, including persons with disabilities. In this regard, it should be noted that in 2010, Thailand announced the withdrawal of its reservation to Article 7 of the CRC, which means that all children born in Thailand are now entitled to birth registration. With regard to long-term migrants and ethnic groups, they may be entitled to apply for Thai nationality or the status of legal immigrants in accordance with the rules prescribed by the nationality and immigration laws, as well as the Management Strategy on the Problem of Status and Rights of Persons, which cover 4 categories of persons, namely (a) those who have lived in Thailand consecutively for a long period; (b) those who have completed their undergraduate education in Thailand (prior to 18 January 2005); (c) rootless children who have lived in Thailand for more than 10 years; and (d) those whose actions have benefited the country. These categories of persons who were born in Thailand have the right to apply for Thai nationality in accordance with the Nationality Act of 1965 and Amendment No. 4 (2008). Those who were born outside of Thailand have to right to apply for the status of legal immigrants in accordance with the Immigration Act of 1979. These rules apply to all persons without discrimination on the ground of disability or on any other grounds.

73. By being one of the States Parties to the CRC, Thailand establishes the right to life and safeguards the development of children whereby children shall be entitled to due care from their parents, relatives, elder brothers and sisters and/or the State for their quality of life growing up and achieving standards of well-being appropriate to their status and situation. If any family fails to meet the minimum standard, the State shall intervene to assist the child. All children have the right to have names and acquisition of their nationality being either of their father or mother under Thai law related to nationality. Any children born from father or mother of Thai nationality regardless of their place of birth shall be entitled to acquire Thai nationality pursuant to the Nationality Act of 1965 and its

Revised, and children with disabilities shall be entitled to the same protection under this Act.

74. If any child cannot live with their father or mother, the State shall take care of such child, while she/he continues to have the right to his/her personal relationship and direct contact with parents at all times even when not living with them. In addition, the State shall prescribe the parents to jointly bear responsibility for rearing, caring and developing the child, as well as shall permit adoption and pay close attention to prevent any child from exploitation, violence and abuse.

75. Regarding the right and liberty of movement for all persons entering and leaving the Kingdom, persons with disabilities are protected by law on an equal basis with others. The 2007 Constitution of the Kingdom of Thailand, Section 34 prescribes people shall be entitled to the liberty of movement and liberty of choosing their living places in the Kingdom. Any restriction of liberty shall be prohibited, unless otherwise prescribed by provisions of special legislation for the purpose of the security of the State, peacekeeping or welfare of the general public, city planning or the welfare of minors. Exiling a Thai national from the Kingdom or prohibiting a Thai national from entering the Kingdom shall be prohibited.

Article 19 – Living independently and being included in the community

76. Thailand has taken steps to promote and develop the potential of persons with disabilities and protect their rights. PDEA guarantees individual autonomy and independent status and situation such as providing a monthly disability pension. In this connection, the Local Administration Department under the Ministry of Interior approved budgetary allocation for local administration organizations to provide disability pensions at the community level. Local administration organizations support the representative organizations of persons with disabilities, non-profit organizations, clubs and associations to strengthen the potential of persons with disabilities, in job placement services with increased income and adjustment to their housing and public facilities to be accessible to and usable by persons with disabilities.

77. PDEA contains significant provisions on independent living. Some examples include criteria for architectural barriers-free environment, accessible housing, personal assistants, assisting persons with disabilities who have no caregiver and the rights of caregivers. NEP has launched training programs for caregivers. Section 21 prescribes local government agencies to issue rules and regulations concerning living standards of persons with disabilities. One example is Don Kaew Sub-district Administration Organization, in the north of Thailand, which issued the 2008 Statute on Empowerment of Persons with Disabilities, establishing the Committee on Development of Living Standards of Persons with Disabilities and an empowerment fund.

78. To promote an inclusive society, Thailand through MSDHS has introduced the implementation of community-based rehabilitation in many provinces. One positive outcome is evidenced by the improved situation where persons with disabilities in those communities, apart from receiving home care given by their family members, are now supported by the whole community. This program will be extended to other provinces by local administration organizations.

79. The Ministry of Information and Communication Technology established in all districts nationwide the community-based ICT learning centers for the general public. 227 ICT learning centers have been established with an additional 600 centers to be completed by 2010. In addition, 120 of those centers are accessible for persons with disabilities.

Article 20 – Personal mobility

80. Thailand takes measures to produce local and assistive technologies accessible for persons with disabilities. The country has been able to offer reasonably priced assistive technologies. Some of these measures are:

(a) The National Electronics and Computer Technology Center (NECTEC), the Office of National Telecommunications Commission (ONTC), Sirindhorn National Medical Rehabilitation Center in collaboration with schools of architecture of universities have carried out innovative and accessible assistive technologies research;

(b) NECTEC in collaboration with the Thai Industrial Standards Institute and ONTC has developed and disseminated four standards: (a) Web Accessibility; (b) Digital Talking Book or Daisy Talking Book; (c) accessible ICT equipment; and (d) Office equipment and supplies;

(c) ONTC has developed standards of accessible telecommunication products, for mobile and fixed-line phones and the Internet, for persons with disabilities and older persons.

81. Thailand has taken steps to organize airline personnel training by providing assistance to persons with disabilities. For example, Thai Airways International Plc. organizes staff training to assist persons with disabilities while traveling. 2,000 of 4,000 staff have been trained and training continues throughout 2010. In addition, Airports of Thailand Plc. has provided an accessible parking area for taxi drop-off at the international airport.

82. Thailand supports agencies that produce assistive device equipment and accessible technologies for persons with disabilities to take into account all special needs of persons with disabilities as evidenced by existing laws, national plans, strategies and guidelines to promote independent living.

83. The Department of Land Transport has issued the 2009 Regulation on Criteria, Procedures and Terms of Payment for equipment to assist persons whose disabilities were due to traffic accidents, which include prostheses, wheelchairs, canes and walkers as well as other equipment deemed necessary. These expenses will be paid out from the Fund for Traffic Safety set up to assist persons with disabilities in a sum not exceeding 200,000 Baht (US$6,383) per person.

84. The National Health Security Office in collaboration with the Ministry of Public Health, Thailand Nursing and Midwifery Council, Ratchasuda College and Thailand Association of the Blind launched the White Cane Project with the aim to train 80,000 persons with visual impairments nationwide on how to use white canes to enable them to live independently. The project is for a 5-year term, with a pilot project commencing in the fiscal year 2010 (October 2009), aiming to be fully operational in fiscal year 2011. Total budget for this project is approximately 770 million Baht (US$ 25 million). Currently, 15% of persons with visual impairments, out of the total number of close to 80,000 persons, have completed training on the use of white canes. Implementation of this program shall ensure better access of persons with visual impairments to public facilities and help enhance their social participation.

Article 21 – Freedom of expression and opinion, and access to information

85. The Cabinet has issued the 2007 Ministerial Regulation on the Establishment of Criteria, Procedures and Conditions, which enable persons with disabilities to access data,

information, news, communications, telecommunications, and public services for persons with disabilities.

86. The government agencies are required to develop websites that are accessible to everyone including persons with disabilities and to enhance cooperation among them in accordance with the Civil Service Exchange Program to develop and transfer knowledge on assistive technology.

87. The Ministry of Information and Communication Technology of Thailand has also developed the project called "an equal society by information and communications technology" with an aim to improve and develop equal access to information and communications for everyone.

88. Thailand has conducted activities to achieve the above-mentioned goal of creating an equal society between the years 2008–2010 as follows:

Activities	*Year 2008*	*Year 2009*	*Year 2010*
1. Training website developers	200 persons	380 persons	600 persons
2. Training of vulnerable groups on ICT	300 persons	400 persons	870 persons
3. Encouraging public and private organizations to develop websites accessible for all	3 organizations	3 organizations	Organized training for 600 website developers to promote public and private entities to develop websites accessible for all

89. The National Telecommunications Commission (NTC) is responsible for providing telecommunication services and facilities to persons with disabilities. Such responsibility is prescribed under Section 17 (3) of the Act on Telecommunications Business of 2001, which is part of its universal service obligation. To this end, NTC has implemented Master Plans on Telecommunications Services as follows:

(a) The implementation of the 1st Master Plan on Telecommunications Services for the years 2005–2007 which comprises:

(i) Installation of 8,128 public telephones accessible for persons with disabilities nationwide;

(ii) The distribution of telephone cards to 1,000,000 persons with disabilities nationwide by licensed telecommunication companies;

(b) The implementation of the 2nd Master Plan on Telecommunications for the years 2008–2011 which comprises:

(i) The project to computerize information in Daisy information services via automatic telephone system with the aim to increase opportunities for persons with visual impairments to access information;

(ii) The establishment of the Telecommunication Relay Service (TRS) Center project for persons with hearing impairments and with communication disorders aims to support communication between persons without disabilities and persons with hearing impairments and communication disorders;

(iii) Training on the use of computers and information technologies provided for persons with visual impairments nationwide which aims to improve their standards of living. The training project was carried out under cooperation between NTC and Thailand Association of the Blind. Training was divided into 2 phases: Phase 1 – training organized in 2009 included 9 computer and information technology training courses for 435 persons with visual impairments nationwide; training for lecturers on the use of computers and information technologies for persons with visual impairments; training for over 50 volunteers to produce educational materials for persons with visual impairments. Phase 2 – computer and information technology training for persons with visual impairments was organized in 2010. 540 persons with visual impairments enrolled in the training.

90. The government has taken measures to encourage non-governmental and private organizations to provide accessible information technology services for persons with disabilities. Private organizations through their corporate social responsibility (CSR) have shown increasing interest in producing media and TV programs on disability, and producing accessible communications equipment for persons with disabilities. Business agencies providing accessible information and ICT services are entitled to tax benefits.

91. According to statistical data collected by the Ministry of Science and Technology from August 2008 to May 2010, 810 websites were accessible to persons with disabilities with 142 websites of grade A accessibility, being equivalent to 17.53%. Among those 61 were run by government agencies, 52 by private organizations, 2 by state enterprises, 13 by independent statute organizations and 14 by others.

92. Thailand has taken measures to make sign language interpretation officially recognized and accepted following the enactment of the Sign Language Interpretation Service Regulations of 2009 and the establishment of the Committee on the Promotion and Development of Sign Language Interpreters. Currently, there are 414 sign language interpreters registered as of July 15, 2010.

Article 22 – Respect for privacy

93. Persons with disabilities in Thailand are entitled to the protection of their privacy. The Thai Constitution guarantees everyone's right of privacy. Any disclosure or dissemination of information and news by any means without consent which infringes upon or violates an individual's right of privacy, honor and reputation shall be prohibited. Everyone shall be entitled to protection from exploitation and/or abuse.

94. Thailand is in the process of enacting the Personal Information Protection Act with the aim to protect individual's personal information by establishing rules governing the use of this information by private organizations. Regulations on private organizations' disclosure of an individual's personal information will be formulated in accordance with the existing laws.

Article 23 – Respect for the home and the family

95. The right to marriage and family life is a fundamental right of all Thai people, including persons with disabilities.

96. Thai laws do not prohibit or restrict access of persons with disabilities to family planning, fertility and adoption services which are provided in accordance with clearly established regulations, mechanisms and procedures as appropriate.

97. Thai law prescribes that all parents take responsibility for rearing their children. This includes parents with disabilities. Parents who fail to do so will be deemed to have contradicted the law.

98. Children cannot be separated from parents on the grounds of their disabilities or the disabilities of one or both of their parents. The government is required to provide support as well as early intervention, medical and social services to children and their families in order to assist them in bringing up their children. Services provided by government and non-government organizations include disability pensions, family subsidies, business loans, occupational rehabilitation, family counseling, scholarships, day care nurseries and foster families. Community-based rehabilitation (CBR) programs have been implemented with an aim to encourage community participation in caring for persons with disabilities and their families, establishment of family support groups and community welfare funds for families with family members with disabilities.

99. Parents are legally prohibited from abandoning their children with disabilities. In case of disability of one or both parents, neither the government nor private organizations have the right to separate a child from his/her family or parents. In the case of such separation being necessary due to the parents' failure to rear their children with disabilities whether or not on grounds of their own disability, the State shall assist parents in order to enable them to continue caring for their children.

100. The Child Protection Act of 2003 prescribes that measures concerning children shall take into account their best interests and shall be non-discriminatory. The responsible central and local authorities have the duty to protect the safety of children living in areas under their jurisdiction. In the case of abandoned children with disabilities the government provides appropriate assistance. However, if parents demonstrate their abilities to be responsible for their child, they shall have the right to bring the case to the Court.

101. Thailand has taken measures to support parents and families of children with disabilities by carrying out projects to empower families. In addition, organizations and parents of persons with disabilities include such as the Association of Parents for Thai Persons with Autism, the Association for Persons with Intellectual Disability of Thailand, the Association for Persons with Psychological Disability, continually organize programs/activities that specifically focus on promoting positive attitude towards persons with disabilities and their families.

Article 24 – Education

102. The present situation of persons with disabilities regarding their education, based on the survey carried out by the National Statistical Office in 2007 indicated many encountered a number of difficulties and required assistance to support their educational access. Among the population of persons with disabilities aged 5 years and over (1.9 million persons), one fourth were uneducated (uneducated persons with disabilities 453,130) from a total uneducated populations of 2.98 million, and of the more than half (59.57%) who completed kindergarten, only 16.2% completed primary and secondary education, with only 1% graduating from university with Bachelor's degree.

103. Regarding the protection of educational rights for persons with disabilities in Thailand, there are laws prescribing service guidelines and policies on education as follows:

(a) The 2007 Constitution of the Kingdom of Thailand contains provisions affirming the protection of the education rights of persons with disabilities, where Section 49 stipulates that persons with disabilities have access to education free of charge of not less than twelve years on an equal basis with others;

(b) PDEA under Section 20 (3) entitles persons with disabilities to access assistive technologies and other additional services;

(c) The 1999 National Education Act, Section 10 stipulates equal educational rights for all to basic education. In addition, early intervention services have been provided through provincial special education centers throughout the country for children with disabilities from birth and their families;

(i) Section 18 includes education services at all levels provided by other agencies such as specific learning centers, home schools and pre-vocational centers organized by foundations and families for persons with disabilities;

(ii) Section 37 stipulates that the Ministry of Education shall support educational districts in all provinces to provide basic education to persons with disabilities;

(iii) Persons with disabilities receiving non-formal or alternative education are entitled to assistive technologies and other services provided through the 2007 Ministerial Regulations on Criteria and Procedures under Entitling Persons with Disabilities to Facilities, Auxiliary Technologies and Other Educational Assistance;

(d) EAPD stipulates persons with disabilities have the right to education from birth free of charge. They are entitled to assistive technologies, special materials, and other services based on their special needs as specified in their individualized education programs (IEPs). Persons with disabilities are able to make educational choices according to their interests, preferences, proficiencies, and abilities. Educational institutes develop IEPs for students with disabilities.

104. All public and private educational institutions providing education to persons with disabilities are entitled to financial and professional support. All these educational institutions in addition shall provide barriers-free environments. In case any educational institute refuses the admission of persons with disabilities without any justified reason or cause as prescribed under the criteria and procedures issued by the Office of Basic Education Commission (OBEC), such action shall be considered an act of discrimination.

105. Educational institutes are expected to accommodate students with special needs in curriculum development, examination, evaluations, and learning under criteria and procedures determined by OBEC. Educational institutes may apply for funding from the Ministry of Education through Educational Fund for Persons with Disabilities.

106. According to EAPD, universities and vocational colleges are supported to enroll students with disabilities by reimbursement of tuition and fees from the Ministry of Education. Universities and colleges that have more than three students with disabilities enrolled receive support to set up Disability Support Services (DSS) Centers.

107. The three main offices under the Ministry of Education responsible for education for persons with disabilities are OBEC, the Office of Vocational Education Commission (OVEC), and the Office of the Higher Education Commission (OHEC). The Committee on Promoting Education for Persons with Disabilities chaired by the Minister of Education is the key authority under the education system.

108. In the provinces there are school district offices and educational institutes under the Ministry of Education providing education for persons with disabilities, namely 43 special schools; 76 provincial special education centers; 13,786 inclusive education schools; 100 colleges and universities. In addition children with disabilities resident in homes provided by the Department of Social Development and Welfare under MSDHS have the opportunity to attend regular schools. Local administration organizations including Bangkok Metropolitan Administration (BMA) play a role in providing education for

children with disabilities. There are approximately 100 inclusive education schools under the BMA.

109. Under the NEA Acts of 2006 and 2008, 513,459 persons with disabilities received education during 2007–2009, as follows:

(a) 440,753 children with disabilities received special education services through 76 provincial special education centers, 43 special education schools, and 13,786 inclusive education schools;

(b) 1,600 children with severe autism received education in special classes in inclusive education schools;

(c) 1,670 students with disabilities received vocational training in vocational education colleges;

(d) 1,953 students with disabilities attended universities;

(e) 136,260 students with learning disabilities in 9,800 inclusive education schools were provided education under the collaboration between OBEC and UNICEF;

(f) 100 universities were designated to set up DSS centers.

110. Inclusive education schools for persons with disabilities provide four levels of inclusive education, namely full inclusion, partial inclusion, non-academic subjects inclusion, and special classes.

111. The Ministry of Interior issued in 2005 the Ministerial Regulation on building accessibility for persons with disabilities and older persons. It specified all public educational institutes under the Ministry shall provide accessible facilities.

112. To enable persons with disabilities to fully access educational services without any restriction or limitation on an equal basis with others, the agencies involved, namely OBEC, OVEC, OHEC, and BMA have made available accessible science, mathematics, other educational materials, and assistive technologies.

113. Special training on Braille, sign language, alternative communications, assistive technologies, mobility aids, and ICT have been provided by Ministries and agencies involved for children, adults or teachers.

114. Promotion on the use of sign language as a first language for persons with deafness, include sign language courses provided for parents of children with deafness, development of bilingual education which has been subsequently added to the kindergarten and primary curriculums in the 17 schools for students with deafness under OBEC. The Ministry of Education has announced that Thai sign language is the official language of persons with deafness.

115. Developing personnel in the field of sign language interpretation by Ratchasuda College, Mahidol University, by offering a diploma course and Bachelor's degree in Thai sign language. Additionally, the Sign Language Interpreter Association of Thailand also runs a course on sign language interpretation for basic communication.

116. To promote education among persons with disabilities specific measures have been taken including awareness raising campaigns on disability rights with educational focus for parents and guardians of children with disabilities, free education, an Education Disability Fund, provision of educational materials, technologies and scholarships for children with disabilities, provision of government scholarships annually for persons with disabilities to study abroad on BA to PhD programs.

117. Up to 2008, a total of 22,931 students with disabilities received higher education. In 2009 academic year, 4,668 students with disabilities enrolled in universities and colleges throughout the country.

118. To support lifelong learning specific measures have been implemented including training on independent living and social skills, long distance education, Daisy on phone system, accessible virtual library, and satellite programs.

119. OBEC has implemented the educational assessment process to identify special needs of children with disabilities so that the children and their families are provided early intervention services through the development of IEPs.

120. Children with disabilities without family support who are under the care of NEP have the opportunity to access inclusive education, and children with severe disabilities under NEP are provided with basic and vocational education.

121. The government has allocated additional budget for qualified special education teachers.

122. The government since 2008 has allocated budget for both pre-service and in-service teacher training programs. There are a number of universities and colleges that provide special education degree courses, BA, MA, PhD programs. In addition, intensive training programs have also been provided for regular and special education teachers by agencies involved. The in-service teacher training programs have been conducted by both the Ministry of Education and universities.

123. Although Thailand has legislation prohibiting discrimination against students with disabilities, in practice schools in some instances continue to be unwilling to accept students with disabilities.

Article 25 – Health

124. Thailand has established three main healthcare systems for all including persons with disabilities. These three systems are universal healthcare, social security, and medicare benefits and services for civil officers and their families. Health services for persons with disabilities include medical rehabilitation free of charge.

125. The 2007 National Health Act protects the rights of persons with disabilities, older persons, and vulnerable groups to receive necessary and specific medical services. This Act together with the 2008 Mental Health Act prohibits disclosure of personal health information unless it is a person's preference or required by law.

126. The Ministry of Public health has issued the 2009 ministerial notification on Medical Rehabilitation and Cost of Treatments, Devices, and Assistive Technologies for persons with disabilities. The ministerial notification includes specific criteria and procedures for some services include dental, traditional and/or alternative medicine, and training on independent living skills.

127. In 2006, the National Health Security Commission promoted universal health care through its notification which supports, at the local level, municipalities or sub-district administration organizations.

128. The National Health Security Office, based on 2009 survey, provides budgetary support to cover 557,534 persons with disabilities under the care of government clinics, community health centers and hospitals.

129. Early Intervention services are provided to both families and children with disabilities. Under the 2007 National Health Act, women are entitled to appropriate

healthcare and reproductive health. The health of children and persons with disabilities, older persons and those who are socially disadvantaged is protected under this Act.

130. There are a number of ongoing programs and activities conducted by concerned government agencies which aim to prevent disabilities among children and vulnerable groups. These include hearing and visual assessment, early identification of children with autism, and measures to reduce traffic accidents.

131. Training on disability rights for medical doctors and personnel, multi-disciplinary teams, parents, and caregivers is provided by Sirindhorn National Medical Rehabilitation Center, which has been appointed by WHO as the national medical rehabilitation training center.

132. The Department of Medical Services under the Ministry of Public Health has implemented standard indicators for local medical centers to ensure accessible facilities, especially ramps and toilets. Sirindhorn National Medical Rehabilitation Center and other related agencies also focus on architectural barriers-free environment.

133. The National Health Security Office is responsible for providing assistive devices for all disability types, such as provision of prostheses, hearing aids, magnifiers, white canes, and wheelchairs.

Article 26 – Habilitation and rehabilitation

134. Thailand has implemented programs for habilitation and rehabilitation of persons with disabilities in the fields of health, employment, education, and social services, with special attention given to newborn babies including guidelines for good practices in child rearing.

135. Medical treatment is available to war veterans nationwide including in the remote rural areas with mobile medical units providing regular medical care. In 2010, a total of 2,000 persons with disabilities received these medical services. This service is coordinated by 23 veteran support offices. Government support for war veterans includes full medical rehabilitation services, comprehensive cost of living expenses, educational fees, and subsidies.

136. The Social Security Office aims to rebuild employees' capacities and skills due to workplace injury in order to return to work. To support this work the Social Security Office has established additional regional rehabilitation centers.

137. Sirindhorn Center for National Medical Rehabilitation has expanded medical services to cover four regions, with prototype one-stop-service rehabilitation centers. These centers also provide child development programs and demonstration units on assistive technologies.

138. National Health Security Office supports disability groups to conduct trainings on caring for persons with disabilities, to establish rehabilitation programs, and to develop a model center called "Half Way Centers" within a temple complex. In addition, the National Health Security Office in collaboration with Sirindhorn National Medical Rehabilitation Center has established eleven assistive device manufacture and repair centers and comprehensive health care centers in 22 community hospitals.

139. NEP has set up projects to upgrade living standards of persons with disabilities, including focus on participation in community, job placement and self-employment opportunities through provision of interest-free loans.

140. NEP has established 11 rehabilitation and occupational therapy centers in local communities, together with 9 existing self-help groups providing support and home care for

persons with disabilities and their families. Recently, the model center for persons with severe autism has been established in a northeast province.

141. The right to participate in rehabilitation programs and services is encouraged on a voluntary basis for persons with disabilities, not compulsory under law.

142. Personnel or officers of specific habilitation and rehabilitation centers receive disability rehabilitation training with training in skills upgrade continuing during service. Earlier training focused on treatments and support, current training emphasizes rehabilitation and living standards development of people with disabilities. The Social Welfare Organization has standardized a plan on human resources development in order to educate, train and develop its personnel, to increase knowledge and skills on social welfare services.

143. Community-based disability caregivers and village public health volunteers shall be trained on how to care for persons with disabilities, with access to regular training to enhance skills. Disability representative organizations organize training courses for parents on caring guidelines for their children with disabilities.

144. Training to empower persons with disabilities includes skills training leading to job opportunities, leadership training for persons with intellectual disabilities, family workshops and camps for persons with psychiatric disorders and their parents on CBR programs, and skills training for disability organization members such as the association of parents of children with autism.

145. The National Health Security Office has set up a joint project in collaboration with the Prostheses Foundation for skills training on producing moulds of prosthetic legs. Sirindhorn National Medical Rehabilitation Center has set up training courses for medical personnel on rehabilitation and specialist nursing rehabilitation counseling, wheelchair production, prostheses and assistive technologies.

146. Rehabilitation services are provided for persons with intellectual and mental disabilities and autism, through national public hospitals and child development centers.

147. Measures to encourage increased knowledge on assistive device technologies and accessibility include:

(a) Ministry of Information and Communication Technology has established accessible community-based ICT learning centers providing training on assistive technologies. Persons with disabilities and their families are encouraged to make use of these facilities;

(b) Ministry of Science and Technology transmits a series of assistive technologies programs to local communities, the industrial and service sectors;

(c) Ministry of Education publishes manuals on educational materials and other educational aids, facilities and services, produces science and mathematics materials for students with disabilities and subsidizes procurement of assistive technologies for students;

(d) BMA has set up a national database of persons with disabilities, and a program supporting troubled groups with disabilities in Bangkok through vocational training and job placement, with provision of assistive devices and technologies.

148. To promote international cooperation on assistive technologies exchange, Sirindhorn National Medical Rehabilitation Center runs training courses on prostheses, has conducted study visits on disability rehabilitation to Singapore, Germany and U.S.A., and set up a staff scholarship program enabling prostheses skills development study abroad.

Article 27 – Work and employment

149. The 2007 Constitution of the Kingdom of Thailand stipulates under Section 43 freedom of people to access work and employment under free and fair competition. Section 44 stipulates the right to access security for safety and welfare of employment including security of living during working age and after retirement. Section 16 prohibits employers from committing sexual harassment against woman and/or girl employees.

150. The Ministry of Labor monitors observance of the 1998 Labor Protection Act, revised 2008. Job placement for persons with disabilities, based on Ministry of Labor information provided October 2009–March 2010, indicates 506 persons with disabilities registered for job recruitment with 291 employed.

151. Khunakorn Foundation Thailand supports employees who are injured at work, and have completed their occupational rehabilitation, to access free of interest loans provided as capital for their businesses.

152. PDEA under Section 20 entitles persons with disabilities to vocational rehabilitation which includes standard services, labor protection, measures of employment promotion and self-employment, media, facilities, technologies and any other assistance to support work and occupations of persons with disabilities according to the regulations, procedures, and conditions prescribed by the Minister of Labor Section. Section 33 prescribes employers, entrepreneurs, and government agencies shall employ persons with disabilities to work in positions suitable for them in proper proportions to the entire number of the employees in their workplaces.

153. Regarding the effective measures taken to ensure their opportunity of employment in the labor market, the most recent resolutions adopted by the Cabinet on June 22, 2010, resolved to adjust the ratio of employment of persons with disabilities in the business and public sectors from the previous 200:1 to 100:1 and to prepare for adjustments and modifications of workplace and transport to facilitate accessibility for persons with disabilities. The Cabinet's resolutions adopted on May 19, 2009 prescribed the establishment of basic facilities accessible for persons with disabilities be accomplished by 2011, for public agencies to develop an employment plan of persons with disabilities and connect the database of persons with disabilities nationwide, as well as to establish 8 vocational training centers to conduct vocational training for 1,000 persons with disabilities each year.

154. Persons with disabilities have access to a wide scope of self-employment training courses. The Department of Skill Development under the Ministry of Labor supports persons with disabilities to access inclusive comprehensive training courses towards employment rehabilitation at both provincial and regional level.

155. Department of Skill Development has conducted research on models of skill development for each type of disability. As a result, cooperation between public and private sectors ensures the suitable models of training are in use, for training on IT technology, handicrafts for persons with visual impairment, among others. Projects conducted in cooperation with vocational training centers for autism, using Microsoft Word computer programs, lead to self-employment skills development for persons with autism and their families. Thailand places emphasis on self-employment for persons with disabilities as an alternative to employment in the work force.

156. Thailand continues to support participation of persons with disabilities in national and international sports events, sending delegations of Thai persons with disabilities to participate in the International Abilympics, held every 4 years.

157. The Department of Labor Protection and Welfare and Thai Labor Union work to ensure and promote good working relationships between employers and employees.

158. The Ministry of Labor safeguards employees with disabilities against injury at work through vocational training and job retention. Under the 1990 Social Security Act the Social Security Office is in charge of vocational rehabilitation training centers, ensuring those injured while working receive training and medical rehabilitation services including physical therapies. The rehabilitation process includes provision of assistive technology devices and prostheses. From 1985 to 2010 vocational rehabilitation centers serviced 5,023 employees, 4,552 completed rehabilitation and returned to employment, 69.96% achieved job retention and 28.51% self-employment. To facilitate disability acceptance back into the community peer support groups and case by case counseling is provided, as is skills training on small and medium enterprises (SMEs) which included support and search for loan capital for their self-employment.

159. Under the 1990 Social Security Act revised in 1994 and 1999, Thailand has a system in place which provides insurance cover including compensation for those injured at work. The 1998 Labor Protection Act provides labor protection for employees including for child employees aged less than 18 years. Under this Act employees with disabilities are protected, in accordance with the Convention, on an equal basis with others.

160. In addition, Thailand ratified International Labour Organization (ILO) Convention No. 159 (1983) on Vocational Rehabilitation and Employment (Disabled Persons) on October 11, 2007, whereby it became effective in Thailand on October 11, 2008.

161. The Ministry of Labor organizes seminars for the parties involved including officers of the Department of Labor Protection and Welfare, the Social Security Office and MSDHS. This provides participants with correct understanding to achieve the objectives of universal standards that will result in the access of persons with disabilities to proper caring and achievement of their well-being. To this end, the Ministerial Regulations are promulgated to determine numbers of employees with disabilities that the employers or business owners and public agencies shall recruit and the sum required to be contributed by employers or business owners to the Fund for Empowerment of Persons with Disabilities. The Cabinet has approved the draft of related Ministerial Regulations which is now under consideration by the Legislative Council through the legislative process.

162. It is planned to issue Ministerial Regulations under PDEA aiming to ease access for persons with disabilities to labor involving service, following completion of draft modifications to existing regulations.

Article 28 – Adequate standard of living and social protection

163. The 2007 Constitution of the Kingdom of Thailand, under Section 80 (1) prescribes that the government provide support and welfare for persons with disabilities to ensure their well-being and autonomy. The Department of Social Development and Welfare under MSDHS has accordingly set up social welfare support systems in several fields for all classes of disability from birth.

164. To ensure lifetime security for persons with disabilities, on reaching retirement age persons with disabilities are entitled to an old-age pension in addition to the disability pension.

165. PDEA, under Section 20 (9) stipulates the government shall provide a monthly disability allowance for all registered persons with disabilities. As at February 2010 the registered number of persons with disabilities receiving the monthly disability allowance totaled 1,235,378 persons.

166. Additional support under FEPD includes loans provided as capital for setting up and running small businesses. Between 1995 and 2009 a total of 63,970 persons with disabilities received loans from FEPD.

167. It is the responsibility of agencies under the Department of Labor Protection and Welfare to hear grievances where required. Employees with disabilities may also exercise the option to claim their rights before the labor courts.

168. On realizing the connectivity of poverty and disability, Thailand takes steps to support persons with disabilities under their right to basic necessities, supporting persons with disabilities when they and their families are poor with income lower than the average cost of living. Welfare provided includes the disability pension, and support to enable persons with disabilities and their families to achieve their well-being on an equal basis with others. In order to relieve the financial burden of families and caregivers, persons with disabilities, their families and caregivers, are entitled to tax exemptions as a taxable group on lower incomes.

Article 29: Participation in political and public life

169. Thailand has enacted legislation which establishes security for political and public life by participation of persons with disabilities where they shall enjoy their political rights on an equal basis with others, without discrimination on grounds of disability, as affirmed under Section 30 of the 2007 Constitution of the Kingdom of Thailand.

170. Concerning equality and non-discrimination, all rights entitled to the general public shall be entitled to persons with disabilities including their right to vote and be elected at national, regional and local levels. The Office of the Electoral Commission of Thailand provides facilities to ensure accessible voting with clear and usable election materials available. Electoral officers on duty at each electoral booth assist and facilitate voting by secret ballot for persons with disabilities.

171. Thailand has a high level of voting participation by persons with disabilities, as indicated by the 2007 National Statistical Office survey which shows that 1,871,860 persons with disabilities participated. The National Economic and Social Development Board's 2008 Report of the Situation of Persons with Disabilities shows that the majority of persons with disabilities pay high attention to exercising their political rights by participating in the voting process in elections at local, regional and national levels.

172. Thailand has enacted some laws which limit the political rights for classes of disability including mental, behavioral and autistic. Revision and modifications are needed to ensure full political rights and participation for all persons with disabilities, in compliance with Article 29 of the Convention.

Article 30 – Participation in cultural life, recreation, leisure and sport

173. The Ministry of Culture takes measures to promote participation of persons with disabilities on an equal basis with others in cultural, sports and social life towards an inclusive society by provision of cross-disability accessible materials. Learning materials include VDOs supporting drama narration, sign language interpreters, with materials produced in Thai, Braille and English. In 2010 a Thai dramatics program trains students with disabilities in musical dramatics, with Thai traditional music concerts produced by persons with disabilities. The Ministry of Culture provides short term courses on dramatics and music for students with disabilities including those from auricular schools and special education centers.

174. The Ministry of Tourism and Sports under the Department of Physical Education has an annual budget to promote and develop sports for persons with disabilities. Thai delegates with disabilities participate in international sporting events including the FESPIC Games and Paralympics. The Office of Sports and Recreation Development provides persons with disabilities with opportunities to raise public awareness on their sports potential and skills on an equal basis with others, and to participate in sports competitions at local, regional and national levels. 2,500 students with disabilities from 59 schools participated in 2010 at provincial level sporting events. 100 officers with disabilities from agencies and educational institutes are trained as referees and coaches for disability sports, with 100 students and volunteers with disabilities participating at the Thailand Special Olympics.

175. The Ministry of Tourism and Sports under the Department of Tourism has set up a program to develop a barriers-free tourism system for all people, focusing on tourists with limitation such as children, tourists with disabilities, older persons and pregnant women. This group of tourists is likely to gain a significant market share and play the key role in the tourism industry in the future. Thailand has ensured tourist attractions and services are accessible to persons with disabilities by promotion of a barriers-free tourism system in cooperation with tourist associations and clubs. Included are accessible materials, modifications to ensure physical accessibility to tourist attractions, annual training courses on disability for tour guides, and mapping of tourist attractions for persons with disabilities and older persons.

176. To ensure the equal access of children with disabilities to play, recreation, leisure and sports facilities and to facilities installed in their schools, the Office of Sports and Recreation Development has developed facilities such as sign symbols and prints, ramps for access, and disability parking.

Article 31 – Statistics and data collection

177. The National Statistical Office was established in 1974. In 2002 the first disability specific survey was conducted. At that time it was simultaneously determined that the disability survey be conducted every 5 years. Dissemination of survey material by the National Statistical Office is undertaken in a variety of forms including accessible websites, mass media and published hard copy reports.

178. A Disability Information Center has been established under NEP which collects disability statistical data nationwide. In addition disability data on news, movement, knowledge, laws, studies and research is available at the information center. NEP, in collaboration with the Ministry of Health, has established annual realistic budget allocations based on increased registration of persons with disabilities due to the positive outcomes from the Government's pension and tax exemption schemes.

Article 32 – International cooperation

179. NEP, in cooperation with the Ministry of Foreign Affairs and the Redemptorist Foundation for People with Disabilities, has set up the project to encourage international implementation of full rights of persons with disabilities. This project provides knowledge, understanding and recognition of the rights of persons with disabilities to field workers, agencies, entities involving disability as well as encouraging countries in the Mekong sub-region (Thailand, Laos, Myanmar, Vietnam and Cambodia) to reaffirm and efficiently fulfill their obligations under the Convention and to simultaneously build international

networks, including Mekong sub-region countries, towards improved development of living standards of persons with disabilities.

180. Additionally, conducting training of trainers on the rights of persons with disabilities in the Mekong sub-region under the international training program "Training of Trainers: The New Leadership Development on the Rights Sensitization" in February 2010, in order to develop younger generation trainers with disabilities and promote the advocacy role of disability leaders. To this end, NEP has developed networks of representative organizations on disability from both the public and private sectors, in order to exchange knowledge and experiences on development of better living standards for persons with disabilities.

181. Thailand under MSDHS, and in cooperation with Japan International Cooperation Agency (JICA), has established the Asia-Pacific Development Center on Disability (APCD) which continues its work on:

(a) Establishment of an international network and cooperation on disability;

(b) Interaction with regional disability representative organizations;

(c) Training for persons with disabilities from Asia and the Pacific on disability rights and issues;

(d) Dissemination of disability support data, information and news.

182. Thailand in cooperation with World Health Organization (WHO) and UNESCAP hosted the 1st Asia-Pacific CBR Congress in February 2009, and continues to participate in Asia-Pacific CBR Congress activities on a regular basis.

183. Higher educational institutions in Thailand have developed a strong academic cooperation with universities and educational institutions in foreign countries including the United States, within Europe and Asia. Bi-lateral activities include exchange of students, of teachers and administrators, and participation by grassroots disability organizations in seminars and events resulting in knowledge exchange towards promotion and development of a better standard of living for persons with disabilities.

184. In relation to United Nations Development Program (UNDP) goals, Thailand has continued to work towards achievement of the Millennium Development Goals by 2015, in line with regional and international policy frameworks reflecting the disability perspectives linked to the Goals.

Article 33 – National implementation and monitoring

185. NEP, as the nation's disability focal point, is responsible for promoting and monitoring implementation of the Convention, along with Thailand's independent agency, the Office of the National Human Rights Commission.

186. Thailand has undertaken translation of the Convention English version into Thai language for distribution to interested parties. A cartoon Thai language version of the Convention has also been produced, publicizing the content of the Convention in an easily understood format for the general public. Delegates from all Ministries, disability representative organizations, the President of the National Council on Social Welfare of Thailand and other concerned agencies form the Committee on the Convention in Thailand to set up guidelines and to monitor implementation.

187. Regarding awareness raising on disability to ensure recognition by all public entities regarding the rights of persons with disabilities on an equal basis with others, and to further ensure their subsequent undertakings in promotion of persons with disabilities, Thailand promotes disability as a major focus by encouraging public entities to mainstream their

plans and policies based on the realization of persons with disabilities as citizens of the country.

188. With regard to Thailand's budgetary allocation for the purpose of national implementation and monitoring on disability, the local agencies involved are required to issue rules, regulations and/or notifications in conformance with PDEA, with government agencies undertaking promotion and development of better living standards of persons with disabilities in accordance with their assignments under Sections 21 and 22.

189. The Office of the National Human Rights Commission in Thailand acts as an independent mechanism in promoting, protecting and monitoring implementation of the Convention in Thailand, pursuant to article 33, paragraph 2, of the Convention.